

S/N 10/022,649

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Francis D. Palazzo	Examiner:	Jason P. Salce
Serial No.:	10/022,649	Group Art Unit:	2421
Filed:	December 17, 2001	Docket No.:	60136.0136US01
Title:	System and Method for Providing Access to EPG Features From Within Broadcast Advertisements		

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Electronically Filed June 9, 2010
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INFORMATION DISCLOSURE STATEMENT (37 C.F.R. § 1.97(b))

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner. At least some of the references were recently cited in a European Search Report dated March 9, 2010 and mailed on March 18, 2010. Enclosed for the Examiner's information is a copy of the European Search Report.

This statement should be considered because it is submitted before the mailing of a first Office Action after the filing of a Request for Continued Examination under 37 C.F.R. § 1.114 or a CPA under 37 C.F.R. § 1.53(d). Accordingly, no fee is due for consideration of the items listed on the enclosed Form 1449.

In accordance with 37 C.F.R. §1.97(e)(1), each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement.

In accordance with 37 C.F.R. §1.98(a)(2), a copy of each foreign patent and/or a copy of each publication, other than U.S. patents and U.S. patent application publications, listed on the accompanying Form 1449 is enclosed.

In view of the waiver of the requirements of 37 C.F.R. §1.98(a)(2)(iii), a copy of each cited pending unpublished U.S. patent application that is stored in the Patent Office's Image File Wrapper (IFW) system is not provided. See MPEP 609.04(a)(II); see also 1287 O.G. 163 (October 19, 2004) ("Waiver of the Copy Requirement in 37 C.F.R. §1.98 for Cited Pending U.S. Patent Applications").

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

Respectfully submitted,

MERCHANT & GOULD P.C.  
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865.380.5976

Dated: June 9, 2010

Signed: /David W. Lynch/  
Reg. No.: 36,204  
DWLynch/tgo

